



CONSTITUTIONAL LAW CENTER
for MUSLIMS in AMERICA

January 11, 2018

Hon. Sterling Johnson, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Asia Siddiqui, et al.
Criminal Docket No. 15-213 (SJ)

Dear Judge Johnson:

The undersigned respectfully submits this letter requesting clarification regarding the upcoming Status Hearing set for February 7, 2018, at 9:30 a.m., and requesting leave to permit attorney Sean Maher to appear on behalf of counsel for Ms. Siddiqui, Charles Swift and Linda Moreno, for the limited purpose of the upcoming February 7, 2018, Status Hearing.

During this Court's most recent Status Conference on May 16, 2017, the Court set a motions deadline for defendants Siddiqui and Velentez in this matter of January 5, 2018. Although not reflected in the Minutes of the hearing, counsel believes, based on notes taken at the hearing, that the Court indicated its desire to take up any motions filed by the defense, on February 7, 2018. Counsel for Ms. Siddiqui, for the reason set forth below, respectfully requests that any hearing of defendant Siddiqui's motion, be heard **April 24, 25, or 26, 2018**.

Apart from the motions anticipated from Mr. Maher, counsel on behalf of Ms. Siddiqui filed a motion on January 5, 2018, with this court seeking to suppress her statements which form the basis for Count Three, which is alleged solely against Ms. Siddiqui. Under the Court's order, the government's Response date for this motion is January 26. Should counsel seek to file a Reply that would be due on February 2. Based on the evidence proffered in the form of Ms. Siddiqui's affidavit and the 302s of the agents, the Defense respectfully submits that it has made a sufficient showing to warrant a hearing. Ms. Siddiqui's motion to suppress will be ripe for consideration on February 7.

Subsequent to the Status Conference, Mr. Maher, on behalf of Ms. Velentez, made two requests for an enlargement to file his motions, and was granted leave to file motions not later than January 15, with a Response date of February 5, and if a Reply was sought, it would be on February 12. Counsel for Ms. Siddiqui did not make a similar request, but based on discussion with Mr. Maher, counsel for Ms. Siddiqui anticipates joining in his motions, to the extent that a favorable disposition would be equally relevant to Ms. Siddiqui. Accordingly, Mr. Maher's motions may not be ripe for consideration until after the Status hearing on February 7.

In the interest of judicial economy, counsel requests that all motions be heard on the same day. Defense has consulted with AUSA Jennifer Sasso, and all attorneys do not oppose a singular hearing. The trial schedules of counsel do not permit the re-setting of the hearing until the month of April. In the month of April, counsel for Ms. Siddiqui are available without restriction. Counsel for the government are available in the month of April, with the exception of April 23. Counsel for Ms. Velentez, Sean Maher, is available only the last week in April, due to an April trial setting he has.

Counsel for Ms. Siddiqui recognizes that the Court may well wish to proceed with a Status Hearing on February 7 in the absence of consideration of any motions, in order to establish a trial date in this matter, along with other administrative matters. Should the Court so desire, counsel respectfully requests to be excused from attending this hearing, and that attorney Sean Maher be able to represent the interests for Ms. Siddiqui with respect to these administrative matters on behalf of all defense counsel.

Very Respectfully,

/s/ Charles Swift

Charles Swift

Attorney for Asia Siddiqui

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